

FILED  
Clerk  
District Court

SEP 06 2005

For The Northern Mariana Islands  
By \_\_\_\_\_

(Deputy Clerk)

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9 **IN THE UNITED STATES DISTRICT COURT FOR THE**  
10 **NORTHERN MARIANA ISLANDS**

11 **DOUGLAS G. CHANCO and**  
12 **EVANGELINE P. USON,**

13 **Plaintiffs,**

14 **v.**

15 **ROY E. TAROPE,**

16 **Defendant.**

**Civil Action No. 05-0017**

**JOINT STATEMENT OF THE**  
**PARTIES PURSUANT TO**  
**F.R.C.P. 26(f) and LR 16.2CJ.e.2**

**Case Management Conference:**

**Date: September 7, 2005**

**Time: 8:45 a.m.**

17 The respective counsel for Plaintiffs Douglas F. Chanco and Evangeline P. Uson  
18 and Defendant Roy E. Tarope have conferred pursuant to F.R.C.P. 26(f) and LR 16.2CJ.e.2.  
19 The Plaintiffs were represented by David G. Banes, Esq. Defendant was represented by  
20 Thomas E. Clifford, Esq.

21 The parties make the following joint statement pursuant to their obligation under  
22 F.R.C.P. 26(f) to report on their Rule 26(f) meeting, and also pursuant to their obligation  
23 under LR 16.2CJ.e.2 to file a Case Management Conference Statement:

- 24 1. Disclosures. The parties are conducting disclosures pursuant to F.R.C.P. 26.  
25 2. Timing and sequence of discovery. The parties propose the following discovery  
26

schedule:

- a. Trial to commence 12 months from the Case Management Conference;
- b. Phased discovery with “fact” discovery first, and then “expert” discovery second;
- c. 6 months for fact discovery;
- d. a deadline of 2 weeks after the close of fact discovery to file any fact discovery motions, and to designate experts and produce experts’ reports pursuant to F.R.C.P. 26(a)(2);
- e. From the fact discovery motions filing deadline, 2 months for expert discovery; and
- f. a deadline of 2 weeks after the close of expert discovery to file any expert discovery motions (this brings the case to a total of 9 months from the September 7, 2005 Case Management Conference).

3. Orders that should be entered by the Court pursuant to F.R.C.P. 26(c) or 16(b) or (c).

Regarding F.R.C.P. 26(c), the parties do not anticipate at this time any need for protective orders. Regarding F.R.C.P. 16(c), the parties agree that the Local Rules’ pre-trial procedures should be followed. Regarding F.R.C.P. 16(b), LR 16.2CJ.e.2 and the topics set for discussion at the Case Management Conference pursuant to the Court’s June 30, 2005 Order re Case Management Conference, the parties state as follows:

- a. Service of process on parties not yet served. Not applicable.
- b. Jurisdiction and venue. Not applicable.
- c. Track assignment. The parties assert that this case is generally appropriate for

1 the Standard Track, subject to the discovery schedule proposed, above. The  
2 parties prefer the standard over the expedited track in part because both  
3 Plaintiffs reside in the Republic of the Philippines.

4 d. Anticipated motions. The defendants may file dispositive motions.

5 e. Anticipated or remaining discovery, including limitations on discovery. Please  
6 refer to the proposed discovery schedule set forth above. All parties anticipate  
7 the use of experts.  
8

9 f. Further proceedings and scheduling of dates. The parties have no comments  
10 here other than what is discussed above or below in this joint statement.

11 g. Appropriateness of special procedures. Not applicable.

12 h. Modification of standard pre-trial procedures. The parties agree that the  
13 standard pre-trial procedures under the Local Rules are appropriate in this case.

14 i. Settlement prospects. The parties intend to discuss settlement.

15 j. Any other matter conducive to the just, efficient resolution of the case. Not  
16 applicable.  
17

18 k. Setting of dates for:

19 1. Joinder of all parties. 120 days.

20 2. Motions to amend. 120 days.

21 3. Discovery cut-off. 6 months for fact discovery, then 2 weeks for motions  
22 regarding fact discovery, then 2 months for expert discovery and then 2  
23 weeks for motions regarding expert discovery, as discussed above.  
24

25 4. Status conferences. As requested by the parties or set by the Court.  
26

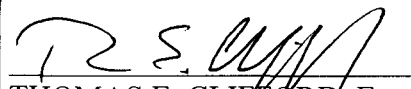
5. Discovery motions hearing date. Pursuant to the Local Rules and the fact and expert discovery motions cut-off dates as discussed above.
6. Dispositive motions filing cut-off. 60 days before trial.
7. Dispositive motions hearing date. Pursuant to the Local Rules and the dispositive motions filing cut-off.
8. Settlement conference. As requested by the parties or set by the Court.
9. Joint pretrial order. 14 days before trial.
10. Final pretrial conference. 7 days before trial.
11. Trial. 12 months from the Case Management Conference, and estimated to last approximately three days.

AGREED THAT THIS STATEMENT ACCURATELY REFLECTS THE POSITION OF THE PARTIES:



DAVID G. BANES, Esq.  
Counsel for Plaintiffs

Date: 9/6/05



THOMAS E. CLIFFORD, Esq.  
Counsel for Defendant

Date: 9/6/05